



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.1

AMARAVATI, THURSDAY , JANUARY 3, 2019

G.686

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**SUPERINTENDENT OF POLICE,
ANANTHAPURAMU**

“MINUTE OF ENQUIRY” RELATING TO SRI S. RAVI KUMAR, AR PC 967 OF DAR, ANANTHAPURAMU (NOW UNDER DESERTION).

- Ref : 1. Minute of enquiry in C.No.01/PR/SDPO.K/2006,dt.8.5.2008 of Sub-Divl.Police Officer, Kadiri.
2. C.No.33/DSP.AR/ATP/2011, Dt. 29.3.2011 of Dy.Supdt.of Police, AR, Ananthapuramu.

MINUTE

A. Name of the delinquent :- Sri S. Ravi Kumar, ARPC 967 of DAR, ATP.

B. Article of charge and the statement of imputations of mis conduct or misbehaviour.

C.No.01/PR/SDPO.K/2006,- The delinquent PC proceeded on medical leave upto 18.10.2004 and over stayed medical leave with effect from 19.10.2004. He failed to send the information of extension of Medical leave or permission from any higher officers and also without informing his where about and continued to be absented for a period of 21 days unauthorisedly. Being Govt, employ he should have informed of his where about, but he failed to do so. Hence he has declared as Deserter with effect from 19.10.2004 vide D.O.No.1183/2004, Dt. 22.12.2004 of the Supdt.of Police, Ananthapuramu. Hence he committed the offence of desertion. By the above he exhibited gross dereliction of duty and malingering in discharging his legitimate duties in the manner quite unbecoming of a member of a disciplined force.

C. An assessment of the evidence in respect of each article of charge.

As many as 3 witnesses and 3 documents have been filed to be examined during oral enquiry on behalf of prosecution. In this connection, I submit that I have been appointed as Enquiry Officer to conduct O.E against ARPC 967 Sri S. Ravi Kumar of DAR, Ananthapuramu now under desertion vide progs in C.No.14/PR/A6/2006, Dt. 22.02.2006 of Supdt.of Police, Ananthapuramu. In this connection it is to submit that in spite of several adjournments the charged officer Sri S. Ravi Kumar ARPC 967 did not attend the OE and the served notice sent to him through RI, AR, Ananthapuramu for attending the OE could not be served on the charged officer. The RI, AR, Ananthapuramu in his report stated that he deputed ARSI Sri M. Haleem and some other PCs to serve the RMs of SDPO, Kadiri on the delinquent ARPC 967 Sri S. Ravi Kumar for attending the OE on different dates. But they were returned with a special report stating that the delinquent ARPC 967 S. Ravi Kumar is not at all residing in the permanent address given by him i.e Ashok Nagar, Ananthapuramu. He vacated the rented house and some other tenants are residing in the said house and on enquiry it is revealed that the delinquent ARPC 967 S. Ravi Kumar is staying in Bombay and working in Corporate company. All the efforts made to trace the address of the delinquent turned futile. The RI, AR, Ananthapuramu has returned all the notices intended to the delinquent ARPC 967 to my office. In this regard the Supdt. of Police, Ananthapuramu was asked permission to conduct the OE against the delinquent ARPC 967. Sri S.Ravi Kumar, exparte vide Lr.C.No.01/SDPO-K/2006, Dt. 25.03.2007 of SDPO, Kadiri. The Supdt. of Police, Ananthapuramu has permitted me to conduct OE against the delinquent PC 967 Sri S. Ravi Kumar on exparte vide memo C.No.4374/A6/PR/04, Dt. 22.02.2008. Accordingly I proceed to conduct OE against the delinquent exparte and examined the witnesses on exparte and recorded their evidence.

PW.1 Sri Puli Chandra Sekhar, Sr. Asst, Dist. Police Office. Ananthapuramu ;

In his evidence he deposed that he worked as A7 Jr. Asst (Leave Seat), DPO, Ananthapuramu from 2004 to 2006. While so, Sri S. Ravi Kumar, ARPC 967, DAR, Ananthapuramu has absented from duty. Sri G. Venakata Swamy, RI, AR -II sent up a report addressing the Supdt. of Police, Ananthapuramu against Sri S. Ravi Kumar, ARPC 967 of DAR, Ananthapuramu stating that the said PC was absent for duty from ML on 19.10.2004 p.m. As he was found absent for more than 21 days and requested to declare him as deserter and to issue orders. As per the instructions of SP. ATP, he has prepared draft desertion orders and put-up it to the Supdt.of Police, Ananthapuramu on 22.12.2004. The Supdt.of Police, Ananthapuramu issued desertion orders vide D.O.No. 1183/2004 in C.No.225/A7/2004 declaring the said ARPC 967, Sri S. Ravi Kumar, as deserter w.e.f 19.10.2004 as he has not reported for duty up to 09.11.2004. No information about his whereabouts no further intimation of sick extension was received. The desertion orders is marked as Ex-1. His desertion orders were issued as per APPM Order No.224. No cross examination by the delinquent as it is exparte and no cross examination by the E.O.

PW.2 Sri D.V. Naravana Reddy, RSI (M.T.O) DAR, ATP :

In his evidence he deposed that he is working as RSI (MTO) DAR, ATP from 07.04.2005. Prior to it he worked as RSI, 1st Platoon, DAR, Ananthapuramu from 22.2.2004. Delinquent ARPC 967 Sri S. Ravi Kumar was working in 1st Platoon

DAR, Ananthapuramu and went on medical leave and due for duty on 19.10.2004 p.m. But he did not report for duty and was absent for duty from M.L i.e from 19.10.2004. His where abouts are not known as he completed absent period of 21 days from 19.10.2004 to 09.11.2004, he has reported the matter to the Sudpt.of Police, Ananthapuramu vide Memo in C.No.60/RSI/1st Platoon/2004, dt. 29.11.2004. On his memo, the RI AR-II Sri G.V.Swamy (Late) sent a special report to the Supdt.of Police, Ananthapuramu with a request to declare the delinquent as deserter and to issue orders accordingly. Basing on the report of RI. II the Supdt. of Police, Ananthapuramu issue desertion orders vide D.O.No. 1183/2004 (C.No.225/A7/2004) dt.22.12.2004. The memo no. 60/RS1/1st Platoon/2004, Dt. 29.11.2004 is marked as Ex.2. No cross examination by the delinquent as it is exparte since the delinquent is absent. No cross examination by the Enquiry Officer.

D. The defence of the Govt. Servant in respect of the Article of charge :

No defence witnesses and documents were produced by the delinquent as the O.E is conducted an expartee and the delinquents where abouts are not known.

E. The findings on each Article of charge and reasons there for :

The charge against the delinquent is that he proceed on medical leave upto 18.10.2004. He failed to send the intimation of extension of medical leave w.e.f 19.10.2004 and to intimate his whereabouts to any of the higher officers and continued to be absent for duty for a period of 21 days unauthorisedly and committed the offence of desertion.

He was declared as deserter w.e.f 19.10.2004 and thereby violated Rule 3 of APCS (CC&A) Rules, 1964 and exhibited misconduct quite unbecoming of a member of disciplined force.

Inspite of several adjournments the delinquent PC 967 Sri S. Ravi Kumar did not attend the O.E and the several notices sent to him through RI.AR. Ananthapuramu instructing him to attend the O.E could not be served on the delinquent. The RI. AR Ananthapuramu has deputed ARSI M.A. Haleem and other ARPCs to serve the notices of R/Ms of SDPO, Kadiri on the delinquent PC 967 Sri S. Ravi Kumar for attending the O.E. But they could not serve on the delinquent PC as his where abouts are not known and he is not residing at his permanent address i.e Ashok Nagar, Ananthapuramu. On enquiry it is revealed that he vacated the rented house and he is staying in Bombay and working in a Corporate company. Efforts made by the RI. AR, Ananthapuramu to trace out the address of the delinquent turned futile. Hence the oral is conducted on exparte and examined the witnesses on exparte.

During OE PW.I Sri Puli Chandra Sekar, Sr. Asst., District Police Office, Ananthapuramu clearly stated that the delinquent has absented for duty w.e.f 19.10.2004 from medical leave without leave or permission and he has not received any intimation from him with regard to extension of M.L and he has completed the desertion period of 21 days and committed the offence of desertion and there by he was declared as deserter w.e.f 19.10.2004. PW.2 Sri D.V.Narayana Reddy, RSI (MTO) DAR, Ananthapuramu has also clearly stated that the delinquent PC 967 has absented for duty from M.L on 19.10.2004 without any intimation to any of the higher officers unauthorisedly and completed the desertion period of 21 days and committed the offence of desertion and thereby he was declared as deserter w.e.f 19.10.2004.

The evidence adduced during the inquiry clearly established that the delinquent being Police Constable working in disciplined force having aware of the important duties of the duty grossly neglected for duty by absenting himself for the duty without leave or permission from M.L from 19.10.2004 and causing the dislocation for the duty and completed the desertion period of 21 days and became as deserter. The delinquent did not show any interest to attend the O.E to approve his innocence. On enquiry it is revealed that the delinquent did not stayed in the headquarters i.e. Ananthapuramu and he is staying in Bombay and working in Corporate company by neglecting his duty as police constable in DAR, Ananthapuramu. It clearly shows that he does not want to continue to work as AR Police Constable in the Police Department and he may not return for duty as a Police Constable in DAR, Ananthapuramu in future.

Summing up I hold the charge against the delinquent as proved beyond all reasonable doubts.

Certified that the Sub Rule 3 to 23 of Rule 20 of APCS (CC&A) Rules, 1991 is followed strictly in conducting of Oral Enquiry.

Dt: 8.5.2008.

Sd/-.,
(Enquiry Officer),
Sub Divisional Police Officer,
Kadiri,

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